

# **REMARKS**

In view of the foregoing amendments and following remarks, consideration of pending Claims 24-30 is respectfully requested.

Claims 1-4, 6-8, 10 and 11 stand rejected under 35 USC § 102(b) as being anticipated by Hohn et al U.S. Patent 6,066,861. The Examiner is currently holding that these claims directed to a light emitting device package include product by process limitation and are given no patentable weight. While Applicant disagrees with this position, and believes that a homogeneous composition having a positively defined property and characteristic that should be given patentable weight, Applicant has for purposes of this Application provided method claims to advance this application at this time. Accordingly, Applicant reserves the right to reinstate these apparatus claims without prejudice.

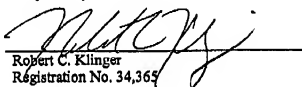
Claims 24-30 as submitted are believed to be defined over the cited prior art, including Hohn et al. Accordingly, favorable consideration of these pending claims is respectfully requested.

A Three Month Extension of Time is included herewith, along with the requisite fee.

No additional fees are believed to be due, however, the Examiner is authorized to debit Applicant's Deposit Account #50-1752 if any additional fees are required.

Should any other matters remain, the Examiner is encouraged to contact the undersigned Attorney to resolve these matters by Examiners amendment where possible.

Respectfully Submitted,

  
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